

**ADMINISTRATIVE PROCEEDING
BEFORE THE
SECURITIES COMMISSIONER OF SOUTH CAROLINA**

IN THE MATTER OF:)
)
Cunningham Energy LLC,)
James Lockhart, Kevin Thibeau,)
Jan Peter Bolton, Scott Johnson, and)
Douglas Hardwick,)
)
Respondents.)
_____)

**CONSENT ORDER AS TO
RESPONDENT JAMES LOCKHART**

Matter No. 20165031

I. PRELIMINARY STATEMENT

This Consent Order is entered into between the Securities Division of the Office of the Attorney General of South Carolina (the "Division") and James Lockhart (the "Respondent"), in order to resolve the allegations against him set forth in the Order to Cease and Desist issued under Matter No. 20165031 (the "Order to Cease and Desist"), which alleged that certain conduct of the Respondent violated the provisions of S.C. Code Ann. § 35-1-101, *et seq.*, the South Carolina Uniform Securities Act of 2005 (the "Act").

Without admitting or denying the findings of fact and conclusions of law set forth in the Order to Cease and Desist, except as to the jurisdiction of the Securities Commissioner of South Carolina (the "Securities Commissioner") over him and the subject matter of this proceeding, which are admitted, the Respondent expressly consents to the entry of this Consent Order, which resolves the allegations against him set forth in the Order to Cease and Desist.

II. ORDER

The Securities Commissioner finds this Consent Order to be in the public interest. Accordingly, it is hereby ORDERED that:

- A. The Respondent and every successor, affiliate, control person, agent, servant, and employee of the Respondent, and every entity owned, operated, or indirectly or


directly controlled by, or on behalf of the Respondent shall **CEASE AND DESIST** from transacting business in this State in violation of the Act;

- B. The Respondent will fully cooperate with the Division's ongoing inquiries into the activities of Cunningham Energy, LLC and related entities and individuals;
- C. The Respondent will pay a fine in the amount of Two Thousand Dollars (\$2,000); and
- D. The Respondent expressly consents and agrees that he is **PERMANENTLY BARRED** from participating in any aspect of the securities industry in or from the State of South Carolina.

As part of this Consent Order the Respondent agrees that he: (i) will not take any action or make or permit to be made any public statement denying, directly or indirectly, any allegation in this Consent Order or creating the impression that this Consent Order is without factual basis; and (ii) will not make or permit to be made any public statement to the effect that the Respondent does not admit the allegations of this Consent Order, or that this Consent Order contains no admission of the allegations, without also stating that the Respondent does not deny the allegations. If the Respondent breaches this agreement, the Securities Commissioner may vacate this Consent Order. Nothing in this paragraph affects the Respondent's: (i) testimonial obligations or (ii) right to take differing legal or factual positions in litigation or other legal proceedings.

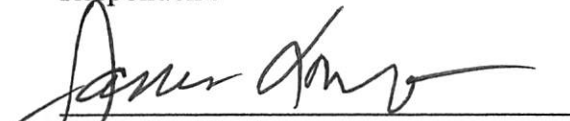
This Consent Order should not be interpreted to waive any (i) criminal cause of action, (ii) private cause of action that may have accrued to investors as a result of the activities detailed in the Order to Cease and Desist, or (iii) other causes of action that may result from activities of the Respondent not detailed in the Order to Cease and Desist.

ENTERED, this the 17 day of February, 2021.




The Honorable Alan Wilson
Securities Commissioner
State of South Carolina

Respondent:


James Lockhart

Date: 2/5/21

South Carolina Attorney General's Office Securities Division:

By: 
Jonathan B. Williams
Assistant Deputy Attorney General

Date: 2/16/21